

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deconde, et al.

Atty Docket 061450-0269275
Client Ref. FID-102

Serial No. 10/038,505

Filed: December 20, 2001

Examiner: M. Noori
Art Unit: 2855

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Title: Fingerprint Sensors Using Membrane Switch Arrays

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37 C.F.R. §1.8(a)

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Date of Transmission: September 17, 2004

I hereby certify that this communication and any attachments are being transmitted via facsimile to the fax number above, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria VA on September 17, 2004

Kathleen M. Smith
Kathleen M. Smith

RESPONSE TO OFFICE ACTION

MAIL STOP: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a response to the Office Action mailed June 10, 2004.

Request for Extension of Time

Applicants request a one-month extension of time from September 10, 2004 to the date hereof to submit this response. The Commissioner is authorized to charge Deposit Account 50-2213 for the requisite one-month small entity fee of \$55.00.

Please consider the following remarks.

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REMARKS

Claims 1-56 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent 6,578,436.

Attached hereto is a terminal disclaimer with respect to U.S. Patent 6,578,436 that overcomes the double patenting rejection. Accordingly, withdrawal of this rejection is appropriate.

In view of the foregoing and because all objections and rejections have been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
PILLSBURY WINTHROP LLP


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